

Proviso; aspirant
declared nom-
inated.

be held on the second Tuesday in May, in which primary the two aspirants who shall have received the highest and the next highest number of votes shall be voted for: *Provided*, that if either of such two shall withdraw and decline to run, and shall file notice to that effect with the municipal board of election, such board shall declare the other aspirant nominated."

SEC. 30. That section two hundred and fifty-six-A be and the same is hereby repealed and a new section two hundred and fifty-six-A inserted in lieu thereof, to read as follows:

Election officials
and Australian
ballot.

"SEC. 256-A. *Election officials and Australian ballot.* The municipal board of elections shall be vested with the same power and authority in the performance of their duties as the Buncombe County board of elections, and the registrars and judges of election, and other election officials of said city, shall have the same power and authority as is conferred upon the officers appointed by the Buncombe County board of elections, and the provisions of the general election law and the Australian Ballot acts applicable to Buncombe County shall apply with full force and effect when not inconsistent with the provisions of this act, in the conduct of municipal elections and primaries in the city of Asheville."

SEC. 31. That section two hundred and fifty-seven be and the same is hereby repealed and a new section two hundred and fifty-seven inserted in lieu thereof, to read as follows:

Candidate's notice
of candidacy and
entrance fee.

"SEC. 257. *Candidate's notice of candidacy and entrance fee.* Any person desiring to become a candidate for nomination in any primary for the offices of mayor, commissioner of either of the other two departments, or judge of the police court shall, at least ten days prior to the first primary election, file with the municipal board of elections a statement of such candidacy in the following form:

Form of notice.

"I,, being first duly sworn, say that I reside at street, city of Asheville, county of Buncombe, State of North Carolina; that I am a bona fide member of the political party; that I am a candidate for nomination for the office of, to be voted upon at the primary election to be held on the Monday of, 19....., and hereby pledge myself to abide by the result of said primary and to support the party nominees of said primary made by the party with which I affiliate, and I hereby request that my name be printed upon the official general primary ballot for the primary election of the party. This the day of

.....
Candidate.

Entrance fee.

"The said candidate shall pay into the office of the secretary-treasurer prior to filing statement of candidacy with the municipal board of elections, the sum of five dollars (\$5), for which the said secretary-treasurer shall give a receipt therefor, and such receipt